



U.S. Department of Justice
Civil Division, Federal Programs Branch

Ms. Brenna B. Mahoney
Clerk of Court
U.S. District Court for the Eastern District of New York
100 Federal Plaza
Central Islip, N.Y. 11722

Re: *Ascent Pharmaceuticals, Inc. v. Garland et al.*, 2:23-cv-8260

Dear Ms. Mahoney:

The above-captioned case was assigned to Hon. Steven L. Tiscione under the Court's pilot program established by E.D.N.Y. Administrative Order 2023-23. To date, the parties to this proceeding have not consented to Judge Tiscione's jurisdiction. Pursuant to paragraph (4) of the administrative order, Defendants hereby inform you of their intent to file a dispositive motion covered by that paragraph before the pilot program's consent deadline, and request the assignment of an Article III district judge to the case. No later than seven days after that assignment, Defendants will file their pre-motion letter or motion, as appropriate.

Date: January 9, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

CHRISTOPHER HALL
Assistant Director
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/s/ Simon Gregory Jerome
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CC: All counsel of record (by ECF)